

BROWNFIELDS STUDY GROUP CONFERENCE CALL APRIL 16, 2003

Attendees: Bev Craig, Darsi Foss, Bruce Keyes, Dan Kolberg, Jessica Milz, Tom Mueller, Lance Potter, Michael Prager, Andrew Savagian, John Stibal, Joy Stieglitz, Mark Thimke, Scott Wilson

Darsi Foss: The non-fiscal items drafting instructions were sent over to Senators Roessler's and Panzer's office

DRAFT STUDY GROUP LETTER TO LEGISLATURE

Foss: Since the State Legislature has heard from the Study Group in previous budget cycles, we thought a letter would be consistent with what you've done in the past; also, what is not included in this letter and wondered if you wanted to add, were the DOA amendments/technical changes, which include funding for the Commerce and Green Space applicants that did not get money in Spring '03; those would be funded using the old set of rules – is this something you want to include?

Bruce Keyes: Included in this is that we gave them prior recommendations that included recycling the money; no objection to mentioning it in the letter, but shouldn't we also add it to the drafting language?

Foss: We were struggling to figure out if these were changes just for the emergency cuts or for long term?

Keyes: I think it helps to still look at that these and see how they fit into the future; we had some non-fiscal changes, and then we have changes that do affect the existing funding programs

Tom Mueller: I think we keep this as broad as possible, and any items we can put off into the rule-making process would probably be better

Foss: Let's pull that stuff out and look at this language

Group agreed to add language supporting the gov.'s amended proposal to included the spring '03 applicants; Foss and staff will review Study Group language from Feb. 5th letter making additional recommendations and get back to Study Group on where those fit into the current letter and drafting instructions

Mueller: We might need to tweak our language a bit in the second paragraph

Group discussed and agreed to other minor language changes to the letter; group also agreed to DNR sending the letter out to Study Group members for a final review, once every effort is made to get initial comments from members

DRAFTING INSTRUCTIONS

Michael Prager went over the reasons that DNR created these drafting instructions. Basically, wanted to keep the essence of the current funding programs. Consulted with DNR attorneys, are making changes based on their comments.

Prager: We would also need to add the language in section b, "eligible applicants", that clarifies, for green space grants, it would be just for local governments

Group agreed to add this language clarification

Bev Craig: For the scoring system, I definitely do want to see different criteria for different programs; if it's not clear with us we need to be clearer

Mueller: I agree, we need different criteria for different programs

Foss: If we clarify that item 5 is for green space/public facilities grants, that “economic need” would only apply for green space would that be ok with folks?

Group agreed

Craig: For allocation of funds, is that remaining 10% going to be too political, or can you do it via rules

Foss: We’re hoping to work with the rules advisory committee

Foss: So folks on the call are ok with the “allocation of funds” language?

Group agreed

Mueller: I like keeping the insurance as a match

Scott Wilson: I don’t see anything on the timing of the grants; it’d be better if there was less overlap and more coordination; maybe this could be addressed in the rule making?

Prager: Yes, we thought maybe it would be better to be addressed in the rule making

Wilson: Previously, the SAG grants had a certain percentage that went to smaller communities; how is that addressed or not addressed?

Prager: In the past, the Study Group had wanted to get rid of that language and base it more on equitable distribution throughout the state, and that language is in there

Mueller: Was the under 30,000 in the statute or the rule?

Prager: In the statute

Mueller: So if it exists statutorily should we change it statutorily?

Prager: The language change should allow us to work with it through the rules

Wilson: For “allocation of funds”, should it include “or equal to”?

Group agreed to add that language

Wilson: Why did we add “trustees” to that list?

Foss: We added that a few years ago, the Study Group recommended it because some trustees were trying to get a property back on its feet and wanted to apply

Foss: Our intent was to follow the Study Group’s recommendation and not make substantive changes; we did expand the Green Spaced a little to include redevelopment activities for green space projects – do you want us to keep it as is or go with this broadening of the eligible activities?

Group wanted to keep the original intent, where green space grants could only be used for remediation

Foss: Bruce’s older items, including ”continuing appropriation”, do you want us to include this?

Group agreed NOT to want those in

Mueller: Should we include the example under “rule authority”, vs. just trying to do it in the rules?

Foss: We’ll try and look at this again and see if we can’t strike a balance

Craig: So we’re not addressing SUDZ at all?

Foss: We changed the SAG to address the SUDZ idea more; but we may need to look at the eligible sites or facilities language to make sure that these can be bundled up so they’re more SUDZ-like

Craig: Maybe just need to strike the reference “four”?

Group agreed to language change

Group agreed to make other minor changes; group also agreed to DNR sending the drafting instructions out via email to Study Group members for a final review, once every effort is made to get initial comments from members

Adjourn